



## MEMORANDUM

Agenda Item 15(B)3

TO: Honorable Chairman Joe A. Martinez and  
Members, Board of County Commissioners

DATE: October 24, 2006

FROM: Honorable Harvey Ruvin, Clerk  
Circuit and County Courts

SUBJECT: Resolution No. R-2006-120  
City of North Miami

Kay Sullivan, Director  
Clerk of the Board Division

Attached for your information is a copy of Resolution No. 2006-120 of the Mayor and City Council of the City of North Miami, Florida, authorizing Miami-Dade County to create a Special Taxing District within the City of North Miami portion of the Oaks at North Miami Development; providing for an effective date and for all other purposes.

KS:fcd  
Attachment



# City of North Miami

776 Northeast 125th Street, P.O. Box 619085, North Miami, Florida 33261-9085

(305) 893-6511

September 28, 2006

Mr. Harvey Ruvin  
Clerk of the Board of County Commissioners  
Stephen P. Clark Center  
111 NW First Street, Suite #17-202  
Miami, Florida 33130

**RE: City of North Miami Resolution R-2006-120 Authorizing Miami-Dade County to Create a Special Taxing District Within the City of North Miami of the Oaks at North Miami Development**

Dear Mr. Ruvin:

Enclosed please find a certified copy of Resolution Number R-2006-120, unanimously passed by the Mayor and the City of North Miami, Florida on September 26, 2006. The Resolution advising Miami-Dade County the City is desirous of allowing Miami-Dade County to continue creating special taxing districts for maintenance and any other applicable improvements in new subdivisions within the City.

Sincerely,

FRANK WOLLAND  
CITY CLERK

FW/jv

Enclosure

CLERK OF THE BOARD  
2006 SEP 29 PM 5:36  
CLERK OF THE BOARD  
DADE COUNTY FLA.

**RESOLUTION NO. R-2006-120**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI, FLORIDA  
AUTHORIZING MIAMI-DADE COUNTY TO CREATE A  
SPECIAL TAXING DISTRICT WITHIN THE CITY OF  
NORTH MIAMI PORTION OF THE OAKS AT NORTH  
MIAMI DEVELOPMENT; PROVIDING FOR AN  
EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, Section 18-2 of the Miami-Dade County Code of Ordinances allows for the creation and establishment of special taxing districts within incorporated areas for the purpose of setting up a backup plan for maintenance, as set forth in that section, in the event that the homeowner's association fails to provide said maintenance; and

**WHEREAS**, Section 18-2 requires the approval of the City of North Miami ("the City") when the special taxing district falls within the City's boundaries; and

**WHEREAS**, Section 18-2 provides for the procedure for creating special taxing districts for the purpose of providing street lights, landscape maintenance, and any other applicable improvements, in new subdivisions within the city and the legal description for the subject subdivision is attached hereto as Exhibit A; and

**WHEREAS**, the City is desirous of allowing Miami-Dade County to continue creating special taxing districts for maintenance and any other applicable improvements in new subdivisions within the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOWS:**


**Section 1.    Findings.** The preceding Whereas Clauses are ratified and incorporated as the legislative intent of this Resolution to provide for maintenance of the infrastructure in the City of North Miami portion of The Oaks of North Miami development by the establishment of a special taxing district and are hereby approved by the City Council of the City of North Miami, Florida in accordance with Chapter 18 of the Miami-Dade County Code. Such approval is

conditioned upon the affirmative vote of a majority of the qualified electors of the proposed Special Taxing District voting in an election to be conducted according to the Miami-Dade County Code and further subject to the approval of the Board of County Commissioners of Miami-Dade County.

**Section 2.**    **Transmittal.** The City Clerk is hereby authorized to transmit and directed to forward a certified copy of this Resolution to the Clerk of the Board of the Miami-Dade County Board of Commissioners.

**Section 3.**    **Effective Date.** This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by a 5-0 vote of the North Miami City Council, this 26 day September, 2006.

  
\_\_\_\_\_  
KEVIN A. BURNS  
MAYOR

ATTEST:

  
\_\_\_\_\_  
FRANK WOLLAND  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
V. LYNN WHITFIELD  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Blynn

Seconded by: Councilman Galvin

**Vote:**

Mayor Kevin A. Burns	<u>X</u>	(Yes)	<u>          </u>	(No)
Vice Mayor Scott Galvin	<u>X</u>	(Yes)	<u>          </u>	(No)
Councilperson Jacques A. Despinosse	<u>X</u>	(Yes)	<u>          </u>	(No)
Councilperson Michael R. Blynn	<u>X</u>	(Yes)	<u>          </u>	(No)
Councilperson Marie Erlande Steril	<u>X</u>	(Yes)	<u>          </u>	(No)

## LEGAL DESCRIPTION OF THE OAKS AT NORTH MIAMI PROPERTY

The N  $\frac{1}{2}$  OF THE SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST, SUBJECT TO THE DEDICATION OF THE EAST 25 FEET FOR STREET PURPOSES, FOLIO 06-2219-000-1450

AND

THAT PART OF THE N  $\frac{1}{2}$  OF THE S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$  OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST, LYING EAST OF THE CENTER LINE OF NE 2<sup>ND</sup> AVENUE, AS SHOWN ON MAP ATTACHED TO DEED RECORDED IN DEED BOOK 1952 AT PAGE 509 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SUBJECT TO THE DEDICATION OF THE WEST 25 FEET FOR STREET PURPOSES; FOLIO 06-2219-000-1380

### CERTIFICATION

I certify this to be a true and correct copy of the record in my office.

WITNESSETH my hand and official seal of the City of NORTH MIAMI

Florida, this the 28 day of

September 20 06

Jacque Vieira, Deputy City Clerk